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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/748,536	12/30/2003	Oliver Young	04301 (3883.00026)	8562	
35374 7.	590 01/25/2005		EXAM	INER	•
	LEAR CORPORATION, BLISS MCGLYNN, P.C. 2075 WEST BIG BEAVER ROAD			WHITE, RODNEY BARNETT	
SUITE 600	O DEA VER ROAD		ART UNIT	PAPER NUMBER	•
TROY, MI 48084			3636		•

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edemands of time may be available under the provisions of 37 CPR 1.136(a). In no event, however, may a reply be timely filed after SIX (9) MONTHS from the mailing date of this communication. If No period for reply is specified above, the maximum statutory period trial period in the statutory minimum of this (20) days will be considered timely. If No period for reply is specified above, the maximum statutory period trial period will disply and will eligible SIX (9) MONTHS from the mailing date of this communication. Failure to reply willin be office used than these monimal start his mailing date of this communication, even if timely filed, may reduce any seamed patient term eligisfinent. 36e 37 CFR 1.794(b). Status 1) Responsive to communication(s) filed on 21 June 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 1-20 is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) 1-20 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * O None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received i	İ		Application No.	Applicant(s)						
Rodney B. White -The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If his period for reply specified shore is less than thirty (30) days, a reply white his statutary minimum of thirty (30) days will be considered limity. If his period for reply specified shore is less than thirty (30) days, a reply within the statutary minimum of thirty (30) days will be considered limity. If his period for reply specified shore is less than thirty (30) days, a reply within the statutary minimum of thirty (30) days will be considered limity. Any reply recoved by the Office limit has flower munities after the mailing date of this communication, even if limity (fled, may reduce any centred parted time department. See 37 CFR 1.76(b). Status 1) Responsive to communication(s) filed on 21 June 2004. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Cita above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) 1-20 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted	(Office Action Course		YOUNG ET AL.						
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Art Unit: 3636

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-15, drawn to vehicle occupant sensing system, classified in class
 340, subclass 667, class 701, subclass 45, and class 280, subclass 735.
- II. Claims 16-20, drawn to vehicle seat assembly, classified in class 297, subclass 217.2.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the vehicle occupant sensing system can also be used to enable or disable the ignition device of a car, depending on whether the seat is occupied or not, determining whether a child or an adult is seated in a vehicle seat, or activating an alarm and/or signal when an occupant leaves the seat..

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

A telephone call was made to Gerald E. McGlynn, III (#33,737) on 1/19/2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (703) 308-2276.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (703) 308-0827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Art Unit: 3636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney B. White, Patent Examiner Art Unit 3636 January 19, 2005

RODNEY B. WHITE